

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

HENG ZHAO,)	1:05-cv-00068-OWW-TAG HC
)	
Petitioner,)	ORDER ADOPTING REPORT AND
)	RECOMMENDATION (Doc. 14)
v.)	
)	ORDER DISMISSING AMENDED PETITION
)	FOR WRIT OF HABEAS CORPUS (Doc. 7)
JOHN ASHCROFT, et al.,)	
)	ORDER DIRECTING CLERK OF COURT
)	TO ENTER JUDGMENT
Respondents.)	
)	
)	

On January 18, 2005, Petitioner filed a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254 in this Court. (Doc. 1). On April 5, 2005, Petitioner filed an amended petition. (Doc. 7).

On October 3, 2005, Respondent filed a Motion to Dismiss for Mootness, contending that Petitioner was no longer in Respondent's custody, having been removed to India on September 28, 2005. (Doc. 13). On July 19, 2006, the Magistrate Judge assigned to the case filed a Report and Recommendation recommending that Respondent's Motion to Dismiss be granted and that the petition for writ of habeas corpus be dismissed on the grounds of mootness. (Doc. 14). This Report and Recommendation was served on all parties and contained notice that any objections were to be filed within fifteen days from the date of service of that order. To date, the parties

1 have not filed timely objections to the Report and Recommendation.

2 In accordance with the provisions of 28 U.S.C. § 636 (b)(1)(C), this Court has conducted
3 a *de novo* review of the case. Having carefully reviewed the entire file, the Court concludes that
4 the Magistrate Judge's Report and Recommendation is supported by the record and proper
5 analysis.

6 Accordingly, IT IS HEREBY ORDERED that:

- 7 1. The Report and Recommendation, filed July 19, 2006 (Doc. 14), is ADOPTED IN
8 FULL;
9 2. The amended petition for writ of habeas corpus (Doc. 7), is DISMISSED; and
10 3. The Clerk of Court is DIRECTED to ENTER JUDGMENT and close the file.

11 This order terminates the action in its entirety.

12 IT IS SO ORDERED.

13 **Dated: September 16, 2006**
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/s/ Oliver W. Wanger
UNITED STATES DISTRICT JUDGE